

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MICROSOFT CORPORATION, a
Washington corporation,

Plaintiff,

v.

BRIAN MONTGOMERY, an individual
d/b/a BCM SYSTEMS CORPORATION
a/k/a BCM SYSTEMS,

Defendant.

Case No. 09 CV 2248 MMA (AJB)

**ORDER GRANTING JOINT MOTION
FOR DISMISSAL WITH PREJUDICE**

[Doc. No. 30]

On June 11, 2010, Plaintiff Microsoft Corporation and Defendant Brian Montgomery, an individual doing business as BCM Systems Corporation, also known as BCM Systems (“Defendant”), submitted a Joint Motion pursuant to Federal Rule of Civil Procedure 41(a), requesting the Court dismiss the above-captioned action, with prejudice. [Doc. No. 30.] The Joint Motion further requested each party bear its own attorneys’ fees and costs. Having considered the parties’ Joint Motion, and good cause appearing therefore, the Court hereby **GRANTS** the Joint Motion. Accordingly,

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1 **IT IS HEREBY ORDERED** that Defendant is dismissed from the above-captioned
2 action with prejudice, and each party shall bear its own attorneys' fees and costs. This Court shall
3 retain jurisdiction to enforce the Permanent Injunction and the Settlement Agreement between the
4 parties. The Clerk of Court is hereby instructed to terminate this case.

5 **IT IS SO ORDERED.**

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7 Dated: June 11, 2010


8 HON. MICHAEL M. ANELLO
United States District Judge

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